

ALC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M10-1512

- - - - -X

UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)
and 960)

ERNESTO JULIO NUNEZ,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

JOHN GAUDIOSO, being duly sworn, deposes and states that he is a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

Upon information and belief, on or about December 23, 2010, within the Eastern District of New York and elsewhere, defendant ERNESTO JULIO NUNEZ did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:¹

1. On or about December 23, 2010, ERNESTO JULIO NUNEZ arrived at John F. Kennedy International Airport in Queens, New York, aboard Jet Blue Flight 826 from Santo Domingo, Dominican Republic.

2. Defendant ERNESTO JULIO NUNEZ was selected for a Customs and Border Protection ("CBP") examination. The defendant presented for inspection one black "Samsonite" roller bag with baggage tag #52793058011. The defendant possessed a baggage claim ticket that matched the baggage tag on the roller bag and answered in the affirmative when asked if the suitcase and all of its contents belonged to him.

3. The subsequent inspection of the defendant ERNESTO JULIO NUNEZ's roller bag revealed that its sides were unusually thick. The bottom of the roller bag was also thick and emitted an unusual odor, similar to glue. CBP officers probed the bottom of the suitcase to reveal a powdery substance that field-tested positive for the presence of cocaine.

4. A total of five packages containing the powdery substance were removed from the defendant ERNESTO JULIO NUNEZ's

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

roller bag. The total approximate gross weight of the cocaine found in the above-described five packages is 2,989.3 grams.

WHEREFORE, your deponent respectfully requests that defendant ERNESTO JULIO NUNEZ be dealt with according to law.



JOHN GAUDIOSO
Special Agent
U.S. Department of Homeland Security

Sworn to before me this
24th day of December, 2010

N
GE